

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TRACY E. McGINNIS,**

**Plaintiff,**

**V.**

**CHRIST THE KING CHURCH  
OF OMAHA,**

**Defendant.**

**CASE NO. 8:09CV29**

## ORDER

This matter is before the Court on the Report and Recommendation of Magistrate Judge F.A.Gossett recommending denial of the Plaintiff's Motion for Remand (Filing No. 6). No Statement of Objection to the Report and Recommendation, as allowed by 28 U.S.C. § 636(b)(1) and NECivR 72.3(a), was filed by either party.

Having reviewed the record and considered the Magistrate Judge's recommendation, *de novo*, the Court concludes that the facts set forth in the Report and Recommendation should be adopted; and the Plaintiff's Motion for Remand should be denied.

Accordingly,

**IT IS ORDERED:**

1. The Report and Recommendation (Filing No. 15) is adopted in its entirety;  
and,
2. Plaintiff's Motion for Remand (Filing No. 6) is denied.

Dated this 31<sup>st</sup> day of March, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge